

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ALLIANCE FOR OPEN SOCIETY INTERNATIONAL, :  
INC., OPEN SOCIETY INSTITUTE, and PATHFINDER :  
INTERNATIONAL, :  
Plaintiffs, : 05 Civ. 8209 (VM)  
: :  
v. :  
: :  
: :  
: :  
UNITED STATES AGENCY FOR INTERNATIONAL :  
DEVELOPMENT and ANDREW S. NATSIOS, in his :  
Official Capacity as Administrator of the United States :  
Agency for International Development, and his successors; :  
: :  
UNITED STATES DEPARTMENT OF HEALTH AND :  
HUMAN SERVICES and MICHAEL O. LEAVITT, in his :  
official capacity as Secretary of the U.S. Department of :  
Health and Human Services, and his successors; and :  
: :  
UNITED STATES CENTERS FOR DISEASE CONTROL :  
AND PREVENTION and JULIE LOUISE GERBERDING, :  
in her official capacity as Director of the U.S. Centers for :  
Disease Control and Prevention, and her successors; :  
: :  
Defendants. :  
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**DECLARATION OF RICHARD E. ROSBERGER**

RICHARD E. ROSBERGER, pursuant to 28 U.S.C. § 1746, declares the following  
under penalty of perjury:

1. I am an Assistant United States Attorney for the Southern District of New  
York, counsel for Defendants in the above-captioned action. I respectfully submit this declaration  
in opposition to Plaintiffs' motions for a preliminary injunction and for a temporary restraining  
order.

2. Attached as Exhibit A hereto is a true and correct copy of the Remarks

on Signing the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003.

3. Attached as Exhibit B hereto is a true and correct copy of a Press Release, Trafficking in Persons National Security Presidential Directive, dated February 25, 2003.

4. Attached as Exhibit C hereto is a true and correct copy of a USAID Acquisition & Assistance Policy Directive (AAPD) 05-04, dated June 9, 2005.

5. Attached as Exhibit D is a true and correct copy of a letter from Christopher D. Crowley, Mission Director, USAID, to Galina Karmanova, Alliance for Open Society International, Inc., dated October 7, 2005.

6. Attached as Exhibit E is a true and correct copy of 70 F.R. 29759 (May 24, 2005).

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
January 4, 2006

MICHAEL J. GARCIA  
United States Attorney for the  
Southern District of New York  
Attorney for Defendants

By: 

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